

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
(Eastern Division)

)
FALLS LAKE NATIONAL INSURANCE)
COMPANY,)
)
Plaintiff,)
)
v.) Civil Action No.: _____
)
NORTHFIELD INSURANCE COMPANY,)
)
Defendant.)
)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Northfield Insurance Company (“Northfield”) submits this notice of removal of the captioned action from the Superior Court of Massachusetts, Essex County, to the United States District Court for the District of Massachusetts, Eastern Division, and respectfully states as follows:

1. On June 18, 2021, Northfield received (by certified mail) a Summons and Complaint in an action entitled *Falls Lake National Insurance Company v. Northfield Insurance Company*, filed in the Superior Court of Massachusetts, Essex County, under Civil Action No. 2177CV00386 (hereinafter the “state court action”), copies of which are attached hereto as Exhibit A.

2. Removal of the state court action is made pursuant to the provisions of Title 28, United States Code, §§ 1332(a) and 1441(a). The United States District Court for the District of Massachusetts has original jurisdiction over this action because it is a civil action wherein the amount in controversy exceeds the sum or value of \$75,000 (exclusive of interest and costs), is

between citizens of different states, the defendant is not a citizen of the state in which the action has been brought, and asserts causes of action arising out of claims and disputes based in Massachusetts.

3. More specifically, plaintiff, Falls Lake National Insurance Company, is a corporation organized and existing under the laws of Ohio, with its principal place of business located in North Carolina.

4. Defendant, Northfield, is a corporation organized and existing under the laws of Iowa, with its principal place of business located in Connecticut.

5. The Complaint seeks declarations of insurance obligations in connection with claims of defective work arising out of a condominium renovation in Boston, Massachusetts, and an award of damages in excess of \$75,000 (as stated in the Civil Action Cover Sheet included in Exhibit A, and which identifies the amount in controversy as \$121,330).

6. The United States District Court for the District of Massachusetts, Eastern Division, is the District Court for the United States encompassing the place where the action is pending and is the Court to which this action may be removed pursuant to 28 U.S.C. §1441.

Defendant demands trial by jury on all issues so triable.

Respectfully submitted,

Defendant,

NORTHFIELD INSURANCE COMPANY,

By its attorneys,

/s/ Brian P. McDonough

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Dated: July 19, 2021

CERTIFICATE OF SERVICE

I, Brian P. McDonough, hereby certify that this document filed through the ECF system will be sent via email and first-class mail to the following counsel of record on July 19, 2021:

William P. Rose, Esq.
Melick & Porter, LLP
One Liberty Square
Boston, MA 02109

/s/ Brian P. McDonough

Brian P. McDonough